



Planning & Development
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Major Subdivision Amendment Application Memo

Date: September 22, 2022

To: Planning Board

From: Planning Office

Re: Bolduc Subdivision Amendment- Map 62, Lot 6-2A and 6-2-B

Project Description:

Geoff Aleva of Civil Consultants has submitted a Final Subdivision Amendment Application on behalf of the developer, Christian Bolduc, to relocate a 20' wide drainage easement on Lot 6-2B and create a drainage easement on abutting Lot 6-1. Owner of Lot 6-2B is Nicole and Christophe Ratte and owner of lot 6-1 is Kevin Tabellione. No change to the approved lot lines for lots 6-2A and 6-2B. No change proposed to the private 50' wide ROW. Lots shall be served by on-site septic systems and drilled wells. The property is within the Rural District and is identified as Tax Map 62, Lot 6-2A, 6-2B and abutting lot 6-1.

§ 202-9. Final plan for major subdivision.

A. Procedure.

- (1) The subdivider shall, within six months after the approval of the preliminary plan, file with the Board an application for approval of the final plan at least 10 days prior to a scheduled meeting of the Board. If the application for the final plan is not submitted within six months after preliminary plan approval, the Board may refuse without prejudice to act on the final plan and require resubmission of the preliminary plan. The final plan shall approximate the layout shown on the preliminary plan, plus any recommendations made by the Board. **[Amended 7-11-1996] Planning Board received the subdivision amendment application on 1/10/22**
- (2) If a public hearing is deemed necessary by the Board, an additional fee in the amount established by the Board of Selectmen following notice and a public hearing shall be required to cover the costs of advertising and postal notification. **[Amended 7-9-2002; 4-16-2004] Application fee and escrow provided.**
- (3) The subdivider, or his duly authorized representative, shall attend the meeting of the Board to discuss the final plan. **Yes**
- (4) When the application is received by the Planning Board, it shall give the applicant a dated receipt acknowledging that it has received the application. **Amendment application received on 1/10/22**

- (5) Within 30 days after receiving any application, the Board shall notify the applicant in writing either that the application is complete or, if it is incomplete, the specific additional material needed to complete the application. The Board shall determine whether to hold a public hearing on the final plan application. **Found complete on 1/10/22**
- (6) Prior to submittal of the final plan application, the following approvals shall be obtained in writing, where appropriate:
- (a) Maine Department of Environmental Protection, under the Site Location of Development Act and the Natural Resources Protection Act. *Editor's Note: See 38 M.R.S.A § 481 et seq. and 38 M.R.S.A. § 480-A et seq., respectively.* **Not applicable.**
 - (b) The Kennebunk, Kennebunkport and Wells Water District, if the district's water service is to be used. **Not Applicable**
 - (c) Maine Department of Human Services, if the subdivider proposes to provide a central water supply system. **Not Applicable as no central water supply is proposed. Private wells are proposed.**
 - (d) The Wells Sanitary District, if the public sewage disposal system is to be used. **Not Applicable**
 - (e) Maine Department of Human Services, if a centralized or shared subsurface sewage disposal system(s) is to be utilized. **Not Applicable as shared subsurface sewage disposal systems are not proposed.**
 - (f) An Army Corps of Engineers dredge and fill permit. **Not Applicable**
 - (g) NPDES permit for stormwater discharges. **Not applicable.**
- (7) A public hearing may be held by the Planning Board within 30 days after the issuance of a receipt for the submittal of a complete application. This hearing shall be advertised in a newspaper of local circulation at least two times, the date of the first publication to be at least seven days before the hearing, and the notice of the hearing shall be posted in at least three prominent places at least seven days prior to the hearing. When a subdivision is located within 500 feet of a municipal boundary and a public hearing is to be held, the Planning Board shall notify the Clerk and the Planning Board of the adjacent municipality involved at least 10 days prior to the hearing. **Public hearing waived on 1/10/22**
- (8) Upon receipt of an application for a subdivision containing 20 lots or dwelling units or more, the Planning Board shall notify the Road Commissioner, School Superintendent, Police Chief and Fire Chief of the proposed subdivision, the number of dwelling units proposed, the length of roadways and the size and construction characteristics of any multifamily, commercial or industrial buildings. The Planning Board shall request that these officials comment upon the adequacy of their department's existing capital facilities to service the proposed subdivision.
- (9) Before the Board grants approval of the final plan, the subdivider shall meet the performance guaranty requirements contained in § 202-13. **To be determined**
- (10) The Board, within 30 days from the public hearing or within 60 days of the official submittal date if no hearing is held, shall make findings of fact and conclusions relative to the standards contained in 30-A M.R.S.A. § 4404, Subsection 3 and in these regulations. If the Board finds that all standards of the statute and these regulations have been met, it shall approve the final plan. If the Board finds that any of the standards of the statute and these regulations have not been met, the Board shall either deny the application or approve the application with conditions to ensure all of the standards will be met by the subdivision. The reasons for any denial or conditions shall be stated in the records of the Board. **To be determined**
- B. Submissions. The final plan shall consist of one or more maps or drawings drawn to a scale of not more than 100 feet to the inch. Plans for subdivisions containing more than 75 acres may be drawn at a scale of not more than 200 feet to the inch. Plans shall be no larger than 24 inches by 36 inches in

size and shall have a margin of two inches outside of the border line on the left side for binding and a one-inch margin outside the border along the remaining sides. Space shall be reserved thereon for endorsement by the Board. One reproducible, stable-based transparent original and three copies of the plan shall be submitted. In addition, the applicant shall submit 11 copies of the final plan, reduced to a size of 11 inches by 17 inches, and all accompanying information to the Office of Planning and Development no less than 10 days prior to the meeting. The application for approval of the final plan shall include the following information:

Recommendations and conclusions:

1. The Planning Board to consider the following:
 - a. The application was found complete on 1/10/22. A public hearing was also waived by the Board on 1/10/22. Extensions have been granted over the last 9 months.
 - b. The plan revisions and compliance items to be reviewed:
 1. Iron rods were installed in three locations where granite bounds were required. Per plan note 27, of the original plan, alternative monuments could be installed if ledge was encountered. See Geoff Aleva memo dated 9-21-22. Planning Board to consider iron rods as suitable.
 2. Gravel road width around cul-de-sac must be 25' wide with 65' wide turning radius, see plan note 7.
 3. A drainage easement is required across lot 6-2-B to benefit the owners of Admirals Way. See plan note 7, to be recorded prior to the issuance of an occupancy permit.
 4. An 18" culvert was required onto Lot 6-2B but a 15" culvert was installed. See 9/21/22 memo from Geoff Aleva, the applicants engineer, regarding the size change is needed. Planning Board to review and consider.
 5. Grading/drainage easements were required across Lot 6-3 (McMeeking) prior to the conveyance of Lots 2A or 2B, see plan note 33 or original plan. The grading was completed. McMeeking is now a partial owner of the street. The drainage easement has been revised and plan note 7 requires the easement to be recorded prior to the issuance of an occupancy permit.
 6. The deeds recorded for Lots 2A and 2B contained incorrect language regarding Admirals Way. A deed conveying fee interest of the street to the 5 lot owners and confirming that it is a private street was recorded.
 7. Roadway ownership noted on the plan.

- c. If the above items are satisfactory, the Planning Board to consider approving the Findings of Fact & Decisions and plan and vote to sign them at the end of the meeting.